INVESTIGATIVE SUMMARY

INVESTIGATIVE SUMMARY

Monday, November 22, 1999, Sergeant's **Steven Katz** and **Bennett Seno** and A/Lieutenant **Henry Romero** of the Internal Affairs Bureau, responded to the unincorporated community of East Los Angeles to investigate an officer involved shooting by East Los Angeles Station personnel. Homicide Lieutenant Don Bear briefed the responding personnel. This review of the incident is based on the briefing, witness interviews, 911 tape, Homicide Bureau investigation, and related reports (099-80142-0284-055) contained in this use of force report.

SYNOPSIS OF INCIDENT

East Los Angeles Station Deputies J. Flores #[redacted] and McCleary #[redacted] 24); Flores #[redacted] and Radovic #[redacted] (24A); Villa #[redacted] and Ochoa #[redacted] (22) answered a call of shots being fired in the area of 6th Street and Arizona Ave. Information in the call indicated the suspect, a 44 year old male Hispanic, wearing a dark jacket and dark pants, was armed with a handgun in the driveway of [redacted] S. Arizona Avenue. The informant was calling from [redacted] and did not wish to be contacted.

The suspect, later identified as Raymond Arvizu, was detained at gun point and refused the deputies commands to show his hands. Suspect Arvizu pulled a handgun from beneath his jacket and pointed it at Deputies Villa, Ochoa, Luna and Flores. Deputy Ochoa fired one round from his Ithica shotgun and Deputy Villa fired one round from his 9mm Beretta pistol. Both rounds missed the suspect.

Suspect Arvizu immediately turned his weapon on himself pointing the barrel of his revolver at his right temple area and firing one round. Suspect Arvizu fell to the ground motionless. Deputies approached and assessed the situation, requested paramedics, and secured the scene. Suspect Arvizu was transported to Los Angeles County U.S.C. Medical Center where he was pronounced dead as a result of a single gunshot wound to the head.

SUSPECT

Raymond Allen Arvizu (DOB - 10-02-55), AKA Ray Arvizu, is a five foot ten inch two hundred and twenty-nine pound male Hispanic. His previous arrests include [redacted]. His CII number is [redacted] His Social Security number is [redacted]

DEPUTIES

Name	Emp#	Date of Hire	Arrived at East Los Angeles	# of previous OIS	Rounds Fired
OCHOA, Joe L.	[redacted]	07-20-83	11-27-88	1	Ithica - 1
VILLA, Brian R.	[redacted]	09-14-88	05-26-91	[redacted]	Beretta - 1

PRELUDE TO THE SHOOTING INCIDENT

Monday, November 22, 1999, at 0119 hours, East Los Angeles Station desk personnel received a 9-1-1 call from Informant [redacted] (MH/44, [redacted], reporting an illegal shooting for which he did not wish to be contacted. Informant [redacted] provided additional information to the desk personnel indicating he had heard three shots fired and described the suspect as a 44 year old male Hispanic wearing a black jacket and dark pants, with a handgun, standing in the driveway of [redacted] S. Arizona Avenue.

Unit 24/E (Deputies Flores #[redacted] and Looney #[redacted]), Unit 22/E (Deputies Villa #[redacted] and Ochoa #[redacted]), and Unit 20S/E (Sergeant Von Borstel #[redacted]) were assigned to handle the call for service.

Unit 24A/P (Deputies Radovic #[redacted] and Flores #[redacted], Unit 23/E (Deputies McBride #[redacted] and Garcia #[redacted]), Unit 23A/P (Deputy Andujo #[redacted], and Unit 25/E (Deputy Shire #[redacted] assigned themselves to the call as assisting units.

While driving to the call, Unit 24A/P (Deputies Radovic #[redacted] and Flores #[redacted] were flagged down by [redacted] (FH/[redacted] who was standing next to her car parked at [redacted] She told the deputies she had heard two gunshots and believed her [redacted] Suspect Raymond Arvizu, had fired the shots. [redacted] told the deputies she had driven passed her [redacted] home at [redacted] S. Arizona Avenue and seen her [redacted] standing in the driveway. She described her [redacted] as a 44 year old male Hispanic, wearing a black jacket and said his name was Raymond Arvizu.

IAB Note: This information was broadcast via Sheriff's radio to East Los Angeles units coordinating the call on the Local Tactical Frequency (L-Tac).

Deputies Radovic and Flores asked [redacted] to accompany them in their radio car and drove toward the location. They drove north on Arizona Avenue and saw several deputies in front of [redacted] S. Arizona Avenue with their guns drawn. As they exited their radio car, they heard approximately three gunshots. Deputies Radovic and Flores proceeded up the driveway of [redacted] S. Arizona Avenue and saw a male Hispanic laying in the driveway with an apparent gunshot wound to his head.

Unit 24/E (Deputies Flores #[redacted] and Looney #[redacted] drove to the intersection of 6th Street and Arizona Avenue and began to contain the location. Unit 22/E (Deputies Villa #[redacted] and Ochoa #[redacted] requested an Aero Unit respond to the location. Unit 25/E (Deputy Shire #[redacted] was positioned at the corner of 6th Street and Kern Avenue (Kern Avenue is one street east of Arizona Avenue). Unit 24A/P (Deputies Radovic #[redacted] and Flores #[redacted]) was positioned at [redacted] and covered the area south of the location. Unit 23/E (Deputies McBride #[redacted] and Garcia #[redacted]) was positioned mid-block on Kern Avenue and covered the area east of the location.

Sheriff's Aero Unit 21 responded and Deputies Looney and Flores requested they illuminate the rear yard at [redacted] S. Arizona Avenue in an attempt to locate the suspect. The Air 21 pilot and observer (Deputies Brick #[redacted] and Stairs #[redacted]) were unable to locate the exact address.

IAB Note: Deputy Stairs was the assigned observer and routinely works a north county air unit assigned to the Santa Clarita Valley.

Deputies Looney and Flores began to walk south on the east sidewalk of Arizona Avenue in an attempt to locate the address for Aero Unit 21. As they walked toward the location, the deputies received a description of the suspect over their radio indicating the suspect was wearing a black jacket and dark jeans.

IAB Note: At this point the deputies believed the suspect was in the rear yard of the location.

Deputies Looney and Flores were able to identify the location and took a position of cover behind a grey car [redacted] parked along the east curbline between [redacted] S. Arizona Avenue and [redacted] S. Arizona Avenue. Deputy Looney knelt down and with his hand held flashlight, illuminated Aero Unit 21 in order to provide a reference point to identify the location.

Deputy Flores was positioned to the right side of Deputy Looney and warned him that he saw the suspect who was now standing in the driveway of [redacted] S. Arizona Avenue. Deputy Flores immediately ordered the suspect to show his hands. Deputy Looney looked toward the driveway and also saw a male Hispanic wearing a black jacket and blue jeans, clearly matching the description of the armed suspect in the call.

Deputies Looney And Flores illuminated Suspect Raymond Arvizu with their hand held flashlights. Suspect Arvizu had his hands near his waistband and had an angry expression on his face. Suspect Arvizu responded to the deputies request to show his hands by stating, "Fuck you." Suspect Arrvizu was standing in the middle of the driveway, approximately five feet from the north west entrance to the location. Suspect Arvizu was illuminated by the porch light that was switched on and was approximately thirty-five to forty feet from Deputies Looney and Flores.

Deputy Looney again repeated orders for Suspect Arvizu to show his hands to the deputies.

Deputy Flores repeated the commands in Spanish in the event Suspect Arvizu was confused or did not understand English. Suspect Arvizu suddenly reached into the left side of his jacket with his right hand. Deputies Looney and Flores continued to order him to show his hands. Suspect Arvizu appeared agitated and repeatedly yelled, "Fuck you. I'm not gonna show you anything. You're not going to get me." Deputy Looney requested assistance using his hand held radio and advised that he was detaining Suspect Arvizu at gun-point. Suspect Arvizu refused rerpeated requests by the deputies to show his hands and kept his right hand concealed beneath the left portion of his jacket. Deputy Looney said he heard a radio car stop behind him and heard Deputy Villa's voice.

SHOOTING INCIDENT

Suspect Raymond Arvizu removed his right hand from beneath the left side of his jacket and in the same motion pointed the handgun in the direction of Deputies Looney, Flores, Ochoa and Villa. Deputy Looney said he heard two shots fired from behind him. Suspect Raymond Arvizu immediately pointed the barrel of his handgun at his right temple and appeared t shoot himself in the head. The suspect immediately fell to the ground and onto his back.

Deputy Joe Ochoa

Deputy Ochoa said he and Deputy Villa responded to the assistance request broadcast by Deputy Looney. Deputy Ochoa was driving the radio car south in the north lanes of Arizona Avenue towards Deputy Flores. Deputy Ochoa positioned the radio car in the middle of the street sightly north of the location with the hood of the radio car pointed in a south east direction.

Deputy Ochoa armed himself with a Department issued Ithica Model 37 12 gauge shotgun and chambered one .00 buck round. He took a position on the left side of Deputy Looney near the hood of the grey car using the engine compartment for cover.

Deputy Ochoa saw the suspect remove a handgun from beneath the left side of his jacket with his right hand and point the weapon in the direction of himself and Deputies Looney, Flores and Villa. Fearing for his life and the life of the other deputies, Deputy Ochoa fired one round from the shotgun at Suspect Raymond Arvizu to stop his deadly assault. At the same time, the suspect pointed his gun at his right temple and fired one round. The suspect immediately fell to the ground.

IAB Note: See Deputy Joe Ochoa's statement on page ___ of the Homicide book.

Deputy Brian Villa

Deputy Villa said he and Deputy Ochoa responded to the assistance request made by Deputy Looney while detaining Suspect Raymond Arvizu at gunpoint. Deputy Villa said he was the bookman and Deputy Villa was driving the radio car.

Deputy Villa said Deputy Ochoa drove their radio car to a position just north of [redacted] S. Arizona Avenue in the northbound lanes. Deputy Villa could see Suspect Raymond Arvizu standing in the driveway with his right secreted beneath the left side of his jacket. Deputy Villa said he

heard Deputy Flores and Deputy Looney ordering Suspect Raymond Arvizu to show his hands to the deputies.

Deputy Villa said he exited his radio car and took a position of cover behind the hood, using the engine block for cover. Moments after they arrived, Deputy Villa saw Suspect Raymond Arvizu remove a handgun from beneath his left jacket area and point it in his direction and the direction of Deputies Looney, Flores, and Ochoa. Fearing the suspect would shoot him and/or the other deputies, Deputy Villa fired one 9mm round from his Department issued Beretta at the suspect. The suspect then turned his handgun on himself, placing the barrel against the right side of his head and shooting himself. The suspect collapsed and fell to the ground.

IAB Note: See Deputy Villa's statement on page ___ of the Homicide book

ACTIONS FOLLOWING THE SHOOTING

Deputies Looney, Flores, Ochoa and Villa evaluated Suspect Raymond Arvizu's condition for a position of cover. The suspect appeared to be motionless and his weapon could be seen at his feet.

Deputies Garcia, Flores and Ochoa approached Suspect Raymond Arvizu in order to evaluate his condition more closely. Deputy Garcia pushed the suspect's weapon five to six feet north o fthe suspect's body with his foot. Deputy Looney requested paramedics respond to the location using his hand held radio. The suspect's weapon appeared to be a blue steel revolver with wooden grips.

Suspect Raymond Arvizu was laying in the driveway with his head pointed to the east and his legs slightly bent and pointed to the west. A large pool of blood had formed around the suspect's head and there appeared to be brain matter on the suspect's chest. The suspect appeared to have a single gunshot wound to the head and there were no.outward signs of additional gunshot wounds.
Los Angeles County Fire Department engine Company 3, Paramedics Martinez, Reygoza, and Muzquiz treated Suspect Raymond Arvizu on scene under the direction of Captain Madrigal. The suspect was transported to Los Angeles County U.S.C. Medical Center by A.M.R. Ambulance Unit #90-245. Deputy Shire #[redacted] accompanied the suspect to the hospital.

WITNESS INTERVIEWS

[redacted]

Witness [redacted] (MH/[redacted] resides a[redacted] S. Arizona Avenue, Los Angeles, CA., [redacted], [redacted]. He said he heard his [redacted] Suspect Raymond Arvizu, pounding on the side doorof his residence demanding to be allowed entry. When he refused to allow the suspect to enter, Suspect Raymond Arvizu walked to the neighbors driveway at [redacted] and fired two gunshots into the air. The suspect walked back to the side entry door at [redacted] S. Arizona Avenue and held a gun to his right temple and said , "Call the police. I'm going to kill myself." Witness [redacted] was watching the suspect's actions through a northwest

facing window.

Witness [redacted] stepped away form the window and called the East Los Angeles Sheriff's Station. He said that he later heard, from within his home, the deputies telling Suspect Raymond Arvizu several times to drop the gun. He then heard two gunshots.

Witness [redacted] said Suspect Raymond Arvizu was recently told to move out of the location He also said the suspect was being treated for depression through Kaiser Hospital.

IAB Note: See [redacted]s statement on page ___ of the Homicide book.

[redacted]

Witness [redacted] (FH/[redacted]) resides at [redacted] S. Arizona Avenue, Los Angeles, CA., [redacted] Suspect Raymond Arvizu is her [redacted]

IAB Note: See [redacted]'s statement on page ___ of the Homicide book.

[redacted]

Witness [redacted] (FH/[redacted]) resides at [redacted]. Witness [redacted] is the [redacted] of Suspect Raymond Arvizu. She said she flagged down a Sheriff's Radio car and explained to the deputies that she believed her [redacted], Suspect Raymond Arvizu, was responsible for two gunshots she had heard prior to the deputies arrival. Sh etold the deputies that when she heard the gunshots, she drove her car passed her [redacted] home, [redacted] S. Arizona Avenue, and saw her [redacted] standing in the driveway. She provided the deputies a description (MH/44 wearing a black jacket) of her [redacted] and agreed to accompany them in their radio car to her [redacted]s home.

IAB Note: See [redacted]'s statement on page ___ of the Homicide book.

[redacted]

Witness [redacted] (MH/Adult) resides at [redacted]. His work address is [redacted] Witness [redacted]s residence is the home [redacted] of the [redacted] S. Arizona Avenue. He said at approximately 0120 hours, he heard numerous gunshots coming from the yard [redacted] of his residence. He immediately telephoned East Los Angeles Sheriff's Station to report the shots being fired.

Witness [redacted] said when the deputies arrived, he stepped out of his house and onto his frone porch. He said his view of Suspect Arvizu, who was standing in the driveway of [redacted] S. Arizona Avenue, was obscured by thick foliage which grows around his front porch. He said he could, however, see the deputies standing in front of the location with their weapons drawn and pointed toward the driveway. He also heard the deputies ordering Suspect Raymond Arvizu to "Drop the gun." Witness [redacted] said he could hear Suspect Raymond Arvizu yelling obscenities at the deputies; words to the effect of: "Mother fuckers. You're not going to get me."

Witness [redacted] said the deputies then fired their weapons into the driveway of [redacted] s. Arizona Avenue.

[redacted]

Witness [redacted] (MH/[redacted] resides at [redacted] Hiswork address is [redacted] He said he was asleep in his bedroom when he was awakened by what sounded like two gunshots. He did not see or hear anything else.

[redacted]

Witness [redacted] (MH/[redacted]) resides at [redacted] He said he was standing on the southwest corner of 6th Street and Arizona Avenue. He said he could see deputies standing in front of [redacted] S. Arizona Avenue. He said the deputies were pointing their guns into the front yard and yelling orders. He said at first he could not understand what the deputies were saying. Then he very clearly heard the deputies say, "Don't do it, Don't do it." He said the deputies the fired two rounds into the yard.

[redacted]

Witness [redacted] (FH/[redacted] resides at [redacted] She said at approximately 0120 hours, she heard gunshots. She said it sounded as if they had been fired right in front of her home. She did not see or hear anything else.

INJURIES

Suspect Raymond Arvizu was transported to the emergency room at Los Angeles County U.S.C. Medical Center by A.M.R. Ambulance #90-245 and arrived at 0201 hours. He was treated for a gunshot wound to the head by the Emergency Room Trauma Team headed by Doctor Zaragoza.

Suspect Raymond Arvizu was pronounced dead at 0217 hours by Doctor Zaragoza. Doctor Zaragoza said the suspect died as a result of a gunshot wound to the head. The bullet entered the suspect's right temple area and exited through his left ear. Doctor Zaragoza said he saw no other wounds on the suspect's body.

SUSPECT'S WEAPON

The suspect's weapon was a Smith & Wesson (Serial #[redacted] Model 10-5, .38 caliber revolver containing four expended .38 Special caliber cartridge cases (R-P) and two live .38 Special caliber live rounds (1- Fed; 1- R-P). The suspect fired four round as evidenced by the four empty cartridge cases recovered from the cylinder. The firearm was test fired and found to function normally.

DEPUTY'S WEAPON

Deputies Ochoa was armed with a Department Ithica Model 37 12 Gauge shotgun. One .00 buck round was fired. The shotgun, serial number [redacted], contained two rounds in the magazine

and one round in the chamber. Deputy Villa was armed with his Department issued Beretta pistol, serial number BER[redacted]Z, and fired one 9mm round. The Beretta contained 14 rounds in the magazine and one round in the chamber. The weapons were inspected by Homicide Bureau to ascertain the number of rounds fired by each deputy. The weapons were test fired and found to function normally.

INVESTIGATOR'S NOTES